

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DUNCAN J. MCNEIL, III,

Plaintiff,

-vs-

Case No. 06-C-1057

UNITED STATES OF AMERICA,

Defendant.

ORDER

Plaintiff Duncan McNeil, III, currently incarcerated in Spokane, Washington, filed a pro se complaint along with a motion for leave to proceed *in forma pauperis*. The complaint alleges, among other things, that the plaintiff was discriminated against on account of a disability. On October 18, 2006, United States Magistrate Judge Aaron E. Goodstein issued a Recommendation and Order denying the plaintiff's motion for leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(g). The plaintiff was notified that if he wished to proceed with action, he would have to pay the full filing fee within fourteen days. Furthermore, Judge Goodstein recommended that the complaint be dismissed if the plaintiff failed to timely pay the filing fee.

The plaintiff has not paid the filing fee. Therefore, this case will be dismissed.

ORDER

IT IS THEREFORE ORDERED that this case is dismissed.

IT IS FURTHER ORDERED that the Clerk of Court enter judgment dismissing the plaintiff's claims and this action.

Dated at Milwaukee, Wisconsin, this 12th day of December, 2006.

SO ORDERED,

s/ Rudolph T. Randa

HON. RUDOLPH T. RANDA
Chief Judge